

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIAM N. LEDFORD,

Plaintiff,

v.

ORDER

Case No. 23-cv-310-jdp

JUSTIN S. RIBAUT, DR. DANIEL
LAVOIE, DR. GINA BOUO, RN HOLLY
GUNDERSON, RN JAIME LEE ADAMS,
AND RN SHERYL KINYON,

Defendants.

Plaintiff William N. Ledford, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted a proposed civil action. Plaintiff has filed a certified copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. Dkt. 2. After considering the motion and supporting documentation, the court concludes that plaintiff does not qualify for indigent status.

In determining whether to allow a prisoner to proceed without prepayment, this court uses the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I find that plaintiff does not qualify as indigent and must prepay the \$402 fee for commencing this action.

Plaintiff has also filed a motion for use of release account funds to pay the initial partial payment in this case. Dkt. 3. Since plaintiff was not assessed an initial partial payment in this case, his motion is denied as moot.

ORDER

IT IS ORDERED that:

Plaintiff William N. Ledford's motion to proceed without prepayment of the filing fee, Dkt. 2, is DENIED.

Plaintiff's motion for use of release account funds to pay the initial partial payment, Dkt. 3, is DENIED as moot.

If by June 6, 2023, plaintiff fails to pay the \$402 filing fee or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff filing this case at a later date.

Entered this 16th day of May, 2023.

BY THE COURT:

/s/

Andrew R. Wiseman
United States Magistrate Judge